



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 011738.00015)

DB
#7/9
1-13

In the Application of: Daryle Lee Petersen)	
)	
Serial No. 09/945,472)	Group Art Unit: 3763
)	
Filed: August 30, 2001)	Examiner: Catherine Serke
)	
For: Convection Enhanced Delivery Catheter)	Confirmation Number: 3236
To Treat Brain and Other Tumors)	

AMENDMENT AND RESPONSE TO OFFICE ACTION
DATED SEPTEMBER 26, 2003

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 2313-1450

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TECHNOLOGY CENTER R3700

Dear Sir:

This paper is responsive to the Office Action dated September 26, 2003. The Examiner has set a three-month period for response, thus making this response due on or before **December 29, 2003**. It is believed that no fee is due in connection with this filing. However, if a fee is due, the Office is authorized to charge such a fee to Deposit Account No. 19-0733.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.


Remarks/Arguments begin on page 9 of this paper.



**CERTIFICATE OF MAILING
(PATENT APPLICATION)**

Express Mail No. EV306395295US~~NS~~
Deposited: December 29, 2003

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By:  _____

Application of: Daryle Lee Petersen

Application No.: 09/945,472

Filing Date: August 30, 2001

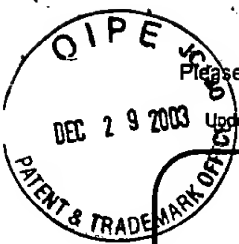
Title: Convection Enhanced Delivery Catheter to Treat Brain and Other Tumors

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Transmitted herewith are the following documents:

- X Transmittal Form PTO/SB/21 (1 page) in duplicate
- X Amendment and Response to Office Action Dated September 26, 2003
(12 pages)
- X Return Postcard

Attorney Case No.: 011738.00015



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/945,472
Filing Date	August 30, 2001
First Named Inventor	Daryle Lee Petersen
Group Art Unit	3763
Examiner Name	Catherine Serke
Attorney Docket Number	11738.00015

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

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Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
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William J. Allen
Banner & Witcoff, Ltd.

Signature

William J. Allen 51,393

Date

December 29, 2003

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